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J1129 U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 146712002600

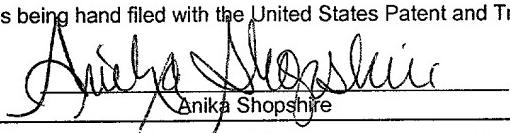
First Inventor Li-Lien LEE et al

Title NIOBIUM ALLOY SEEDLAYER FOR MAGNETIC RECORDING MEDIA

Express Mail Label No.

PRO  
J1050 U.S. PTO09/28/01  
09/28/01  
09/28/01  
09/28/01**CERTIFICATE OF HAND DELIVERY**

I hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, D.C. on September 28, 2001.


  
Anika Shopshire
**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

Assistant Commissioner for Patents  
ADDRESS TO: Box Patent Application  
Washington, DC 20231

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g. PTO/SB/17)<br><i>(Submit an original, and a duplicate for fee processing)</i> | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)                   |
| 2. <input type="checkbox"/> Applicant claims small entity status.<br><i>See 37 CFR 1.27</i>   | 8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission<br><i>(if applicable, all necessary)</i> |
| 3. <input checked="" type="checkbox"/> Specification [Total Pages 28]   | a. <input type="checkbox"/> Computer Readable Form (CRF)  |
| - Descriptive title of the Invention  | b. <input type="checkbox"/> Specification Sequence Listing on.  |
| - Cross Reference to Related Applications   | i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or   |
| - Statement Regarding Fed Sponsored R & D   | ii. <input type="checkbox"/> paper  |
| - Reference to sequence listing, a table, or a computer program listing appendix  | c. <input type="checkbox"/> Statements verifying identify of above copies   |
| - Background of the Invention   |   |
| - Brief Summary of the Invention  |   |
| - Brief Description of the Drawings ( <i>if filed</i> )   |   |
| - Detailed Description  |   |
| - Claim(s)  |   |
| - Abstract of the Disclosure  |   |
- 
- |   |  |
|---|--|
| 4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets 6]   | 9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))         |
| 5. Oath or Declaration [Total Pages 2]  | 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement<br><i>(where there is an assignee)</i> |
| a. <input checked="" type="checkbox"/> Newly executed (original or copy)  | <input type="checkbox"/> Power of Attorney   |
| b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br><i>(for continuation/divisional with Box 18 completed)</i>  | 11. <input type="checkbox"/> English Translation document (if applicable)                    |
| i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br><i>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)</i> | 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449      |
| 13. <input type="checkbox"/> Preliminary Amendment  | <input checked="" type="checkbox"/> Copies of IDS Citations                                  |
| 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br><i>Should be specifically itemized</i>  |  |
| 15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br><i>(if foreign priority is claimed)</i>  |  |
| 16. <input checked="" type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.                            |  |
| 17. <input type="checkbox"/> Other _____  |  |

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76

 Continuation     Divisional     Continuation-in-part (CIP)    of prior application No: \*

Prior application information

Examiner \*

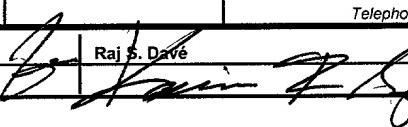
Group / Art Unit \*

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS** Customer Number or Bar Code Label

  
**25227**  
 PATENT TRADEMARK OFFICE

or  Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	
Name (Print/Type)	Raj S. Dave	Registration No. (Attorney/Agent)	42,465
Signature	 Date September 28, 2001		

# FEE TRANSMITTAL FOR FY 2001

Patent fees are subject to annual revision

## TOTAL AMOUNT OF PAYMENT

(\$750.00)

Complete if Known	
Application Number	To Be Assigned
	September 28, 2001
First Named Inventor	Li-Lien LEE et al.
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned

Attorney Docket No 146712002600

## METHOD OF PAYMENT

## FEE CALCULATION (continued)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1952

Deposit Account Name Morrison &amp; Foerster LLP

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status See 37 CFR 1.272.  Payment Enclosed: Check  Credit Card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$710.00)

## 2. EXTRA CLAIM FEES

Total Claims	20	- 20** =	0	x	Fee from below	Fee Paid
Independent Claims	3	- 3** =	0	x		= \$0

## Multiple Dependent

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claims, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\* or number previously paid, if greater; For reissues, see above.

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	40.00
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

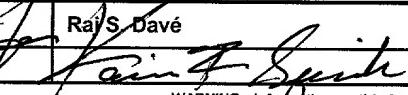
Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$40.00)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Ray S. Davé	Registration No. (Attorney/Agent)	42,465	Telephone	(202) 887-8798
Signature		43148		Date	September 28, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO Commissioner for Patents, Washington, DC 20231

dc-280529

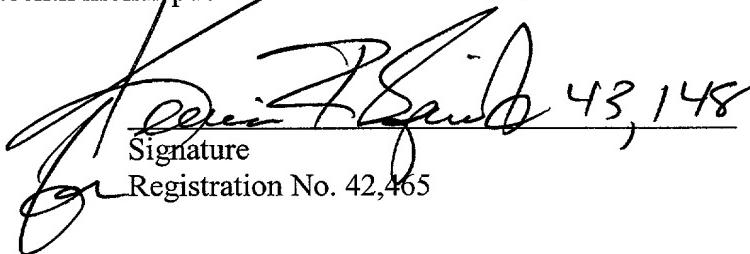
**REQUEST AND CERTIFICATION UNDER  
35 USC 122(b)(2)(B)(i)**

First Named Inventor:	Li-Lien LEE et al.
Title :	NIOBIUM SEEDLAYER FOR MAGNETIC RECORDING MEDIA
Atty Docket Number:	146712002600

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application **not** be published under 35 USC 122(b).

In making this certification I understand that "the invention disclosed in the attached application" is the invention first disclosed and claimed in the attached application and not the common disclosure of a distinct invention claimed in application Serial Number \_\_\_\_\_ Filed \_\_\_\_\_ which is subject to foreign filing and eighteenth month publication under 35 USC 122.

September 28, 2001  
Date



\_\_\_\_\_  
Raj S. Davé, J.D., Ph.D.  
Signature  
Registration No. 42,465

Raj S. Davé, J.D., Ph.D.  
[Typed or printed name]

This request is signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this non publication request at any time. If applicant rescinds a request that an application not be published under 35 USC 122(b), the application will be scheduled for publication at eighteen months from the earliest filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 USC 122(b)(2)(B)(iii)).